

HOUSE BILL 2867
By Kisber

AN ACT to amend Tennessee Code Annotated, Title 6, Chapters 1 through 22, relative to municipal government.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 6-3-101, is amended by deleting the section in its entirety and replacing it with the following:

(a) Any municipality incorporating under this charter after June 30, 1991 shall have at least one (1) ward but not more than eight (8) wards. Any municipality having a population of less than five thousand (5,000) shall upon incorporation have one (1) ward, and its board shall consist of a mayor and two (2) aldermen elected at large. Any municipality having a population of more than five thousand (5,000) shall upon incorporation have two (2) wards, and its board shall consist of a mayor to be elected at large and two (2) aldermen elected from each ward. The mayor and aldermen elected to the first board shall serve the four (4) and two (2) year terms prescribed by Tennessee Code Annotated, Section 6-1-207(b). At each election thereafter the mayor and aldermen shall be elected to four (4) year terms, except in transitional elections prescribed by subsection (c).

(b) Any municipality incorporated after June 30, 1991 may increase or reduce the number of wards, except that municipalities having a population of more than five thousand (5,000) shall not reduce the number of wards below two (2). The board of any municipality having between one (1) and four (4) wards shall consist of a mayor elected

at large and two (2) aldermen elected from each ward, except that municipalities having more than one (1) ward may reduce the number of aldermen from each ward from two (2) to one (1). The board of any municipality having between five (5) and eight (8) wards shall consist of a mayor elected at large and one (1) alderman elected from each ward. In wards having more than one (1) alderman, the aldermen shall serve staggered terms of office within their wards.

(c) All increases and reductions in the number of wards and aldermen under this section shall be accomplished only by ordinance passed by a two-third (2/3) vote of the entire membership to which the board is entitled. The ordinance shall:

(1) Take effect at the next municipal election, but shall not affect the present terms of members of the board of mayor and aldermen;

(2) Where appropriate, establish and describe the new ward boundaries;

(3) Provide for a transitional election following the adoption of the ordinance in which the mayor and/or aldermen running for office shall be elected for terms that will expire at the next municipal election;

(4) At the second municipal election following the adoption of the ordinance provide for a system of staggered terms of office under which the mayor is elected for a term of four (4) years, in cities with an even number of wards half the total number of mayor and aldermen running for office are elected to four (4) year terms, in cities with an uneven number of wards one (1) more or one (1) less than half the total number of mayor and aldermen running for office, are elected to four (4) year terms, in both classes of cities the remaining aldermen are elected to two (2) year terms, and following which all aldermen shall be elected for four (4) year terms;

(5) In the case of a ward that has been abolished provide that any alderman whose term extends past the life of a ward shall serve as an alderman at large for the remainder of the term.

SECTION 2. Tennessee Code Annotated, Section 6-4-301, is amended in subdivision (a)(2) by deleting the second sentence of the subdivision.

SECTION 3. Tennessee Code Annotated, Section 6-4-301, is further amended in subdivision (c)(1) by adding the following to the end of the subdivision:

In addition to jurisdiction over the violation and alleged violation of municipal ordinances, a city judge elected pursuant to this subdivision is vested with concurrent jurisdiction and authority with courts of general sessions, as set forth in the Title 40, in all cases of the violation or alleged violation of the criminal laws of the state of Tennessee within the limits of the municipality.

SECTION 4. Tennessee Code Annotated, Section 6-20-215, is amended in subsection (a) by deleting from the last sentence of the subsection the language “second and third readings” and replacing it with “second reading”.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

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